

IMPLEMENTATION OF NGWANYIA (ASYLEE ADJUSTMENT CASE)
SETTLEMENT AGREEMENT

Ngwanya v. Gonzales, No. 02-502 (RHK) (D. Minn).

If you were granted asylum in the United States and have a pending application for adjustment of status, this settlement applies to you. Please refer to <http://uscis.gov/graphics/lawsregs/NgwanyiaVGonzales.PDF>

In recent years immigration law had allowed only 10,000 asylees per year to adjust their status to Lawful Permanent Residents. Under the settlement agreement, United States Citizenship and Immigration Services (USCIS) will process an additional 31,000 asylee adjustments during the next three years. During fiscal year 2005, ending September 30, 2005, USCIS will process 8,000 of the additional 31,000, bringing the total number adjusted for the year to 18,000. USCIS will process at least 8,000 of the 31,000 during fiscal year 2006, (October 1, 2005 to September 30, 2006) with the remaining additional applications being processed in fiscal year 2007 (October 1, 2006 to September 30, 2007).

The settlement also provides that asylees who have a pending application for adjustment of status may renew their employment authorization document (EAD) by requesting a multi-year EAD with a validity of up to five years. The multi-year EAD must be prepaid for the number of years requested. The cost of the multi-year EAD will be less than the cost of annual renewals by at least \$20 per year. A request for a [fee waiver](#), if applicable, may be made pursuant to 8 C.F.R. § 103.7(c)

Cost of multi-year EAD:

1 year card - \$175.00

4 year card - \$640.00

2 year card - \$330.00

5 year card - \$795.00

3 year card - \$485.00

Form I-765 must be filed with the appropriate fee in order to obtain an EAD. Please complete and sign the Form I-765, and include the following information on Form I-765: Above section 1, check the appropriate block (replacement or renewal), then to the right of the statement, write "Ngwanyia class member requesting ___ year card (1 year, 2 year, etc.). In section 16 write (a)(5).

For Example:

Department of Homeland Security U.S. Citizenship and Immigration Services		I-765, Application for Employment Authorization
Do Not Write in This Block.		
Remarks	Action Stamp	Fee Stamp
A#		
Applicant is filing under §274a.12 _____		
<input type="checkbox"/> Application Approved. Employment Authorized / Extended (<i>Circle One</i>) until _____ (Date). Subject to the following conditions: _____ (Date). <input type="checkbox"/> Application Denied. <input type="checkbox"/> Failed to establish eligibility under 8 CFR 274a.12 (a) or (c). <input type="checkbox"/> Failed to establish economic necessity as required in 8 CFR 274a.12(c)(14), (18) and 8 CFR 214.2(f)		
I am applying for: <input type="checkbox"/> Permission to accept employment . <input type="checkbox"/> Replacement (<i>of lost employment authorization document</i>). <input type="checkbox"/> Renewal of my permission to accept employment (<i>attach previous employment authorization document</i>).		
1. Name (Family Name in CAPS) (First) _____ (Middle) _____ 11. Have you ever before applied for employment authorization from USCIS? _____		

An E-mail address, **NSCLawsuit.Asylum@dhs.gov**, has been established for all Ngwanyia class members to contact the Nebraska Service Center if the I-765 has been pending 80 days or longer and the EAD card has not been received. When using this e-mail address, please include the I-765 receipt number, the name as it appears on the application, and the current mailing address.

Mailing address for all Ngwanyia I-765s:

**USCIS
Nebraska Service Center
PO Box 87821
Lincoln, Nebraska 68501-7821**